

REMARKS/ARGUMENTS

By this response, claims 1, 8 and 18 are amended and claims 20-26 are added, thereby leaving claims 4-7, 9, 15-17 and 19 unchanged. Claims 2, 3 and 10-14 were previously canceled and claims 7-9 and 17-19 were previously withdrawn.

Consideration of the Information Disclosure Statement filed on January 6, 2011 is respectfully requested.

The Applicants thank the Examiner for the various telephonic interviews between the Examiner and the under-signed Applicants' Representative.

The drawings were objected to in the Office Action, but the Applicants thank the Examiner for the indication in the March 4, 2011 Advisory Action that the objection is withdrawn and the originally filed drawings are accepted.

Claims 1, 4-6, 15 and 16 stand rejected under 35 U.S.C. § 112, second paragraph for being indefinite. Claim 1 is hereby amended to address this rejection.

Claims 1, 4-6, 15 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Merkel (WO 01/21460 corresponding to US 6,802,102) in view of Hawighorst (WO 03/039922 corresponding to US 2004/0163483).

Claim 1 has been amended to recite that the crank is connected to the structural part by a press fit. Applicants respectfully point to MPEP § 2113, in which a press fit is construed as a structural limitation, because the manufacturing process of press fitting imparts distinctive structural characteristics.

Merkel discloses a crank 12 that is joined to a base body 14 via a connecting layer 44 of zinc by assembly casting, see col. 3, lines 38-40 of US 6,802,102. Assembly casting is obviously a different process than press fitting. More importantly, the structure resulting from assembly casting is quite different than a press fit.

Hawighorst discloses a crank 24 and a spacer piece 40 that are both directly connected to an output shaft 22 by laser welds, see paragraphs 20 and 22 of US 2004/0163483. Laser welding

is obviously a different process than press fitting. More importantly, the structure resulting from laser welding is quite different than a press fit.

Therefore, claim 1 is allowable over Merkel and Hawighorst, taken alone or in combination. Claims 4-9 and 15-26 depend from claim 1 and are allowable for the same and other reasons not specifically set forth herein.

Claim 20 is further patentable over Merkel and Hawighorst, because claim 20 requires, among other things, that the first fore part extends axially into and along the bore hole of the crank.

Claim 21 is further patentable over Merkel and Hawighorst, because claim 21 requires, among other things, that one of the bore hole of the crank and the structural part includes a knurl, such that the crank is rotationally coupled to the structural part by the press fit.

Claim 22 is further patentable over Merkel and Hawighorst, because claim 22 requires, among other things, that at least one of the shaft and the first fore part includes a non-circular portion, such that the shaft is rotationally coupled to the first fore part.

Claim 23 is further patentable over Merkel and Hawighorst, because claim 23 requires, among other things, that the shaft, the crank and the structural part are axially fixed.

Claim 24 is further patentable over Merkel and Hawighorst, because claim 24 requires, among other things, that the first fore part includes a sleeve surrounding a portion of the shaft, such that the sleeve is coupled for rotation with the shaft, and such that the crank is coupled to the sleeve by the press fit.

Claim 25 is further patentable over Merkel and Hawighorst, because claim 25 requires, among other things, that the shaft ends in a polygonal element, wherein the sleeve is press fit on the polygonal element.

Claim 26 is further patentable over Merkel and Hawighorst, because claim 26 requires, among other things, that first fore part extends axially along the shaft and the second fore part extends radially from the shaft.

Therefore, claims 1, 4-9 and 15-26 are allowable.

Reconsideration of the rejection and allowance of the claims are respectfully requested.

Respectfully submitted,

/julianne m. cozad smith/

Julianne M. Cozad Smith
Reg. No. 62,174

Dated: April 14, 2011

Docket No.: 022862-1090
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Suite 3300
Milwaukee, Wisconsin 53202-4108
414.271.6560